

**17-30-3 Establishment of merit system commission -- Appointment, qualifications, and compensation of members.**

- (1)
- (a) Each county with a population of 20,000 or more shall establish a merit system commission consisting of three members appointed as provided in Subsection (1)(b).
  - (b)
    - (i) As used in this Subsection (1)(b):
      - (A) "Police interlocal entity" means an interlocal entity, as defined in Section 11-13-103, that is created:
        - (I) under Title 11, Chapter 13, Interlocal Cooperation Act, by an agreement to which a county of the first class is a party; and
        - (II) to provide law enforcement service to an area that includes the unincorporated part of the county.
      - (B) "Police local district" means a local district, as defined in Section 17B-1-102:
        - (I) whose creation was initiated by the adoption of a resolution under Section 17B-1-203 by the legislative body of a county of the first class, alone or with one or more other legislative bodies; and
        - (II) that is created to provide law enforcement service to an area that includes the unincorporated part of the county.
    - (ii) For a county in which a police interlocal entity is created, whether or not a police local district is also created in the county:
      - (A) two members shall be appointed by the legislative body of the county; and
      - (B) one member shall be appointed by the governing body of the interlocal entity.
    - (iii) For a county in which a police local district is created but in which a police interlocal entity has not been created:
      - (A) two members shall be appointed by the legislative body of the county; and
      - (B) one member shall be appointed by the board of trustees of the police local district.
    - (iv) For each other county, all three members shall be appointed by the county legislative body.
  - (c) Not more than two members of the commission shall be affiliated with or members of the same political party.
  - (d) Of the original appointees, one member shall be appointed for a term ending February 1 of the first odd-numbered year after the date of appointment, and one each for terms ending two and four years thereafter.
  - (e) Upon the expiration of any of the terms, a successor shall be appointed for a full term of six years.
  - (f) Appointment to fill a vacancy resulting other than from expiration of term shall be for the unexpired portion of the term only.
- (2) Members of a commission shall be citizens of the state, shall have been residents of the area embraced by the governmental unit from which appointed not less than five years next preceding the date of appointment, and shall hold no other office or employment under the governmental unit for which appointed.
- (3) The county legislative body may compensate a member for service on the commission and reimburse the member for necessary expenses incurred in the performance of the member's duties.

Amended by Chapter 218, 2009 General Session